

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK**

ANDRES ALEXANDER RAMOS,

Plaintiff,

v.

TIMOTHY HILL CHILDREN'S RANCH, INC.; TIMOTHY HILL FARM LLC; APPLE DAY CAMP, INC.; TIMOTHY HILL CHRISTIAN CAMP, INC.; JERRELL HILL, in his official and individual capacity; FERN HILL, in her official and individual capacity; DIANE CORAZZINI, in her official and individual capacity; JAMES ZUZIERLA, in his official and individual capacity; Personal Representative, presently unknown, of the ESTATE OF MICHAEL GERRARD; JOHN DOE 1-10, MEMBERS OF THE BOARD OF TRUSTEES OF TIMOTHY HILL CHILDREN'S RANCH, INC., in their official and individual capacities, whose identities are presently unknown to Plaintiff; AND JOHN DOE 1-10

Defendants.

Index No.

Summons

To the above-named defendants:

You are hereby summoned and required to serve upon plaintiff's attorneys an answer to the Complaint in this action within twenty days after the service of this summons, exclusive of the day of service, or within thirty days after service is complete if this summons is not personally delivered to you within the State of New York. In the case of your failure to answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Plaintiff designates Suffolk County as the place of trial. The basis of venue is defendant Timothy Hill Children's Ranch, Inc., principal place of business.

Dated: New York, New York
September 20, 2019

WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP

s/ REGINA M. CALCATERRA
REGINA M. CALCATERRA
Calcaterra@whafh.com
JAMES A. ALIAGA
Aliaga@whafh.com
270 Madison Avenue
New York, New York 10016
Tel: (212) 545-4600
Attorneys for Plaintiff Andres A. Ramos

Defendants' Addresses:

Timothy Hill Children's Ranch, Inc.

Executive Director: Thaddaeus Hill,
298 Middle Road
Riverhead, New York, 11901

Jerrell & Fern Hill

356 Middle Rd
Riverhead, Ny 11901

Diane Corazzini

100 Lupen Drive
Cutchogue NY 11935

James Zuzierla

64 Fox Lane
Riverhead, NY 11901

Personal Representative of the Estate of Michael Gerrard

Unknown at this time

John Does 1-10, Members of the Board of Trustees of Timothy Hill Children's Ranch, Inc.

Unknown at this time

Richard Roe 1-10

Unknown at this time

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK**

ANDRES ALEXANDER RAMOS,

Plaintiff,

v.

TIMOTHY HILL CHILDREN'S RANCH,
INC.; TIMOTHY HILL FARM LLC;
APPLE DAY CAMP, INC.;
TIMOTHY HILL CHRISTIAN CAMP, INC.;
JERRELL HILL, in his official and individual
capacity;
FERN HILL, in her official and
individual capacity;
DIANE CORAZZINI, in her
official and individual capacity;
JAMES ZUZIERLA, in his official and
individual capacity;
Personal Representative, presently unknown,
of the ESTATE OF MICHAEL GERRARD;
JOHN DOE 1-10, MEMBERS OF THE
BOARD OF TRUSTEES OF TIMOTHY
HILL CHILDREN'S RANCH, INC., in their
official and individual capacities, whose
identities are presently unknown to Plaintiff;
AND RICHARD ROE 1-10

Defendants.

Index No.

VERIFIED COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Andres Alexander Ramos, by his attorneys Wolf Haldenstein Adler Freeman & Herz LLP, brings this action against Timothy Hill Children's Ranch, Inc.; Timothy Hill Farm LLC; Apple Day Camp, Inc.; Timothy Hill Christian Camp, Inc.; Co-founders Jerrell and Fern Hill in their official and individual capacities; Diane Corazzini in her official and individual capacity; Timothy Hill Children's Ranch employee James Zuzierla in his official and individual capacity; The Estate of Michael Gerrard; John Doe 1-10, Members of the Board of Trustees of Timothy Hill Children's Ranch, Inc. in their official and individual capacities, whose identities

are presently unknown to Plaintiff; and Richard Roe 1-10, in their official and individual capacities, whose identities are presently unknown, hereby alleging, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

INTRODUCTION

1. This is an action pursuant to The Child Victims Act (enacted on February 14, 2019), in which the New York State Governor and Legislature approved legislation that amended the New York CPLR by, *inter alia*, adding CPLR § 214-g, which revives sexual abuse actions (involving both intentional conduct and negligence) that were previously time-barred under New York law. All of the claims asserted by Plaintiff in this action are thus revived and timely asserted.

2. In 1976, Defendants Jerrell and Fern Hill founded the Timothy Hill Children's Ranch in honor of their late son. That same year, a Certificate of Incorporation for Timothy Hill Children's Ranch, Inc. ("THCR") was filed with the State of New York. THCR currently operates as a not-for-profit corporation.

3. From its beginning of operations in 1980, the ranch operated as a group home under the auspices of using "Christ-centered values" to help restore "abused and neglected boys". The ranch is located in the Town of Riverhead, Suffolk County, New York.

4. By 1995, the ranch was accepting 13-19 year old males (THCR Advertisement for Holiday Contributions, Riverhead News Review, Dec. 1994, col 1, and Dec. 1995, col 1)(Attached as Exhibit A). Some of these boys had been labeled "PINS" – Persons in Need of Supervision – and were referred to the ranch by the Department of Social Services of Nassau and Suffolk County's, as well as local family courts and probation departments. Other social service agencies, schools, and parents were also able to refer boys.

5. In January of 1995, at the age of 12, Plaintiff arrived at the ranch.

6. During the six months that Plaintiff was under the custody and supervision of THCR, Plaintiff was repeatedly and viciously victimized by teenage residents of the ranch. The sexual abuse began as a result of the Defendants' negligence in ordering the then 12-year-old Plaintiff to share a room with a male of approximately 17 years old ("J.M.").

7. Defendants' practice and de facto policy of virtually no supervision after "lights out" made it so that Plaintiff, the youngest child in his residence, was repeatedly beaten, tortured, and threatened into obedience by J.M. and the other teenage boys in his residence. Defendants' inadequate supervision meant that, despite multiple staff members residing under the very same roof, repeated sexual abuse at the hands of multiple teenage boys was a regular occurrence for Plaintiff.

8. In addition to the sexual abuse, Plaintiff's injuries by other residents included cigarette burns, being thrown into a frigid body of water, burned with hot water from communal showers at the ranch, and being forced to smear cow feces on himself.

9. Plaintiff's numerous complaints to staff were met by, *inter alia*, negligently incompetent efforts by Defendant Corazzini, a licensed Certified Social Worker employed by THCR, and dismissive insults by THCR employees. Defendant Corazzini would force Plaintiff to repeat his complaints of abuse out loud in front of the accused residents of the ranch, resulting in the older boy's collective retaliatory violence against Plaintiff or Plaintiff's withdrawing his complaints out of fear.

10. The ranch staff's negligent supervision was not limited to Plaintiff. THCR employee "Mitch" would regularly use a THCR-owned van to transport resident teenagers to a nearby 7-Eleven convenience store, where he would purchase cigarettes and condoms for the

older teenage boys. Open marihuana and alcohol use by the older teenage residents occurred on ranch premises. On one occasion, Plaintiff reported the widespread marihuana use to Defendant Corazzini, leading to drug tests for several residents of the ranch, which resulted in a retaliatory beating by a teenage resident of the ranch ("R.X.") shortly thereafter.

11. The above conditions laid the groundwork for Plaintiff's documented sexual abuse at the hands of a 16 year old repeat resident of the ranch ("A.R."). Upon arriving at the ranch for a second time, A.R., despite being over 4 years older than 12-year-old Plaintiff, was allowed to freely enter Plaintiff's bedroom. On multiple separate occasions, A.R., just as other THCR resident boys before him had done to Plaintiff, sexually abused him.

12. A.R.'s sexual abuse of the Plaintiff included violently forced anal intercourse, which resulted in Plaintiff's April 12, 1995 hospitalization due to massive internal injuries and extensive bleeding. Nevertheless, despite Plaintiff's hospitalization, a report to the local police was not filed until April 20, 1995.

13. A.R. was placed under arrest on April 24, 1995.

14. Negligence continued after the arrest. On one occasion, Defendant Zuzierla, a THCR employee, dangled the 12-year-old Plaintiff outside a second story barn window upside down by his feet. When Plaintiff flailed and grabbed at Zuzierla's body to prevent being dropped, Zuzierla grabbed Plaintiff by the throat, accused Plaintiff of homosexual groping, and called him discriminatory names while taunting Plaintiff about the above arrest in front of other ranch residents, thereby exacerbating the ranch-wide culture of horrendous and unrelenting abuse toward Plaintiff.

15. Negligence by THCR employees, as detailed below, allowed this foreseeable abuse to take place; negligence and professional misconduct after the fact from ranch leadership,

Defendants Jerrell and Fern Hill, Michael Gerrard, Diane Corazzini, James Zuzierla, and John Doe 1-10, evinced – at best – a violation of mandated child abuse reporting law and careless failures to take steps to prevent further emotional and physical injury to Plaintiff. At worst, Defendants' conduct amounted to a victim-blaming cover-up whereby multiple adults disposed of physical evidence, convinced Plaintiff that his sexual abuse was a justified punishment from God for which he had to accept some responsibility, and constructed a narrative that Plaintiff, at only 12 years old, had asked for the sexual assault.

JURISDICTION AND VENUE

16. This Court has personal jurisdiction over the Defendants Jerrell and Fern Hill, James Zuzierla, Timothy Hill Children's Ranch, Inc., Timothy Hill Farm LLC, Apple Day Camp, Inc., and Timothy Hill Christian Camp, Inc. pursuant to CPLR 301 and 302, in that the Defendants reside in New York.

17. This Court has personal jurisdiction over the Defendant Diane Corazzini pursuant to CPLR 302 in that Defendant Corazzini committed the acts described here within this State.

18. This Court has personal jurisdiction over the Estate of Michael Gerrard pursuant to CPLR 302 in that Michael Gerrard committed the acts described here within this State.

19. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

20. Venue for this action is proper in the County of Suffolk pursuant to CPLR 503 in that a number of Defendants reside in, or maintain a principal place of business in this County and a substantial part of the events and omissions giving rise to the claims occurred in this County.

PARTIES

21. Plaintiff ANDRES ALEXANDER RAMOS (“Plaintiff”) is an adult individual residing in the State of New York. He resided at the ranch from January 1995 to June 1995 and thus was under the custody and supervision of Defendant THCR and all other Defendants during that time.

22. Defendant “THCR” is and at all material times has been, a corporation organized and existing under the laws of the State of New York, with its principal office at 298 Middle Road, Riverhead, Suffolk County, New York.

23. Defendants Jerrell and Fern Hill (“Jerrell” and “Fern”) are the co-founders of the ranch located at the above-mentioned address.

24. At all material times, Jerrell was the Executive Director of THCR. He resides, upon information and belief, in the State of New York.

25. Prior to founding the ranch, Jerrell was a minister of the Riverhead Church of Christ.

26. Fern assisted with the implementation of the ranch’s mission of promoting Christ-centered values and assisted its administrative fundraising efforts.

27. The ranch has on occasion been referred to as the Timothy Hill Children’s Ranch of Church of Christ.

28. Fern resides, at all material times, in the personal residence of Jerrell, and, upon information and belief, in the State of New York.

29. At this time Plaintiff has not yet uncovered the identities of all material and/or implicated THCR directors and/or employees during the material times and has reserved rights to name them as their identities become known by naming Richard Roe 1-10.

30. Defendant Diane Corazzini (“Corazzini”) was, at all material times, an employee at the ranch in her capacity as a licensed Certified Social Worker registered under the laws of New York State.

31. Michael Gerrard (“Gerrard”) has been deceased since July 8, 2019, and was, at all material times, an employee at the ranch, the Deputy Executive Director of THCR, and was a licensed Certified Social Worker registered under the laws of New York State. Plaintiff has not yet uncovered the identity of the personal representative of the Estate of Michael Gerrard and reserves the right to name such representative as his or her identity becomes known by naming Personal Representative of the Estate of Michael Gerrard as a Defendant.

32. Defendant James Zuzierla (“Zuzierla”) was, at all material times, an employee at the ranch, whose primary responsibilities included oversight of the barn on ranch premises (John Carter, *Life Lessons at the Ranch: Horses and TLC Transform Timothy Hill ‘PINS’ into Men*, The Riverhead News Review, Sept. 8, 1994)(Attached as Exhibit B).

33. Defendants John Doe 1-10 (“THCR Board of Trustees”), are or were various members of the THCR Board of Trustees, from various times – from 1995 to present – and/or upon information and belief, agents, fiduciaries, servants, and/or employees of Defendant THCR.

RELATIONSHIP BETWEEN THE PARTIES

34. At all relevant times, the ranch was closely managed, directed, and controlled, by Defendants THCR, THCR Board of Trustees, Jerrell, Fern, and Gerrard.

35. At all relevant times, from January to June 1995, Defendants THCR and the THCR Board of Trustees, had oversight, control and autonomy over the appointment and hiring and firing decisions of all staff and social workers at the ranch.

36. At all relevant times, from January to June 1995, Defendants Jerrell and Fern made regular appearances at the ranch and closely managed, directed, and controlled the ranch and the operations of Defendant THCR.

37. At all relevant times, from January to June 1995, Defendants Jerrell, Fern, and Gerrard had oversight, control, and autonomy over the appointment and hiring and firing decisions of all supervisors and employees of Defendant THCR.

38. At all relevant times, Defendant THCR managed, supervised, employed, directed and/or controlled employees, including social workers assigned to work at the Ranch, including Defendants Corazzini, Gerrard, Zuzierla, and John Doe 1-10.

39. At all relevant times, Defendants Jerrell, Fern, Corazzini, Gerrard, Zuzierla, and John Doe 1-10 (“Individual Defendants”) were agents, managers, directors, or employees of Defendant THCR.

FACTS COMMON TO ALL CLAIMS

Background

40. THCR was established in 1976 by Jerrell and Fern under the auspices of using “Christ-centered values” to help restore “abused and neglected boys”. In her book about her deceased 13 year old son, *Graduation to Glory*, Fern describes the ranch:

“The Timothy Hill Children’s Ranch opened in 1980. It is located on a beautiful 106-acre site in Riverhead, New York... the land is part woods and part farmland. Two beautiful residences for 22 boys are nestled among the trees... Today, Timothy’s dream of helping troubled boys is being realized. Young lives that are broken and scarred are receiving God’s healing love.

Our program for the boys includes horse training, caring for other animals, learning to grow food, caring for the orchard, chopping wood for fuel, and exposure to many wonderful people who have been inspired to dream dreams with us. From across the nation (and even from foreign lands, people have stood by us, held our hands prayed, sacrificed, offered suggestions, and donated time, energy and money to make the ranch possible”

Star Bible Publication, 6th Edition, 2000.

41. As of 1994, THCR received \$120.00 a day per child, to provide “shelter, clothing, food, medical care, instruction, counseling, and recreation... seventy percent of the ranch’s more than \$1 million budget was government funded. The balance [was] from fundraising” (John Carter, *Life Lessons at the Ranch: Horses and TLC Transform Timothy Hill ‘PINS’ into Men*, The Riverhead News-Review, Sept. 8, 1994, at 2, col. 3)(See Exhibit B).

42. By 1995, the ranch operated as a group home on a 106-acre ranch located in the Town of Riverhead, New York, and accepted temporary placements of male children from local family courts.

43. In 1995, the ranch was accepting males who had been labeled “PINS” – Persons in Need of Supervision – as referrals to the ranch by the Departments of Social Services of Nassau and Suffolk County, as well as local family courts and probation departments. Other social service agencies, schools, and parents were also able to refer boys.

44. In receiving PINS individuals, Defendant THCR and THCR employees received background information of the children and of the circumstances that led to them being placed at the ranch.

45. In 1995, Plaintiff was placed by a family court order into the Custody of the New York State Division for Youth and placed at the Timothy Hill Children’s Ranch, at the age of twelve (12), for a period of approximately six months.

46. Between the years 1994-1996, THCR began a high profile fundraising effort to expand the buildings on the ranch property, seeking at least \$750,000 to construct an administrative and family counseling center that would include “seven rooms for parent-child therapy sessions” (John Carter, *Life Lessons at the Ranch: Horses and TLC Transform Timothy*

Hill 'PINS' into Men, The News-Review, Sept. 8, 1994, at 19 (Exhibit B); *Hill Hailed for 15 Years*, Riverhead News Review, Nov. 16, 1995 at 23)(Attached as Exhibit C).

47. Plaintiff was a resident at the ranch beginning in January 1995, and ending in June 1995.

48. During the times relevant to the allegations set forth herein, the teenaged boys at the ranch were assigned to either House 1 or House 2 on the premises of the ranch.

49. During the times relevant to the allegations set forth herein, Plaintiff was assigned to reside within House 2, with the exception of a period in April 1995 where the Plaintiff resided with Defendants Jerrell and Fern Hill in their private residence located in Riverhead, New York.

50. Defendant Corazzini was a duly licensed Certified Social Worker per New York State Law and was the social worker assigned by THCR to the residents of House 2 during the times relevant to the allegations set forth herein.

51. During the times relevant to the allegations set forth herein, Defendants Corazzini and Gerrard, as duly licensed Certified Social Workers per New York State Law, were required by Title 6 of the Social Services Law to report cases of suspected child abuse or maltreatment.

52. During the times relevant to the allegations set forth herein, the ranch also contained a pond and a barn on its premises.

53. Defendant Zuzierla's responsibilities included supervising the barn. As part of the programming for the residents at the ranch, the resident boys would be required to do farm work on the ranch, including at the barn.

54. During the times relevant to the allegations set forth herein, Defendant THCR was responsible for overseeing, managing, controlling, directing and operating the ranch.

55. During the times relevant to the allegations set forth herein, Defendants Jerrell and Fern, Gerrard, Zuzierla, and Corazzini held supervisory positions at the ranch, and acted within the course of their employment as agents, servants, and/or employees of Defendant THCR.

56. Through their positions at, within, or for Defendant THCR, Defendants Jerrell and Fern Hill, Gerrard, Zuzierla, and Corazzini (collectively "Individual Defendants") were put in direct contact with Plaintiff, a minor resident at ranch.

House 2

57. During the times relevant to the allegations set forth herein, House 2 consisted of a first floor and a basement connected by a staircase.

58. During the times relevant to the allegations set forth herein, the basement of House 2 contained non-residential office spaces and a weight room.

59. Two of the above-referenced office spaces were regularly used by Defendant Gerrard and Defendant Corazzini. Another office was used by a receptionist for the ranch.

60. The first floor of House 2 contained a long hallway with multiple bedrooms designated for the resident boys, a communal bathroom at one end of the hallway, and two personal living quarters for THCR employees.

61. During the times relevant to the allegations set forth herein, THCR employee Tim, last name unknown, resided in one of the personal living quarters within House 2 on the first floor.

62. During the times relevant to the allegations set forth herein, Rose and Mark Pettit ("House 2 Parents") resided together in one of the personal living quarters within House 2 on the

first floor. They resided there with their daughter, S.P., approximately seven years of age, and their infant son, M.P.

The House 2 Boys

63. Including the Plaintiff, there were approximately ten other teenage boys assigned to House 2 during the months of January to June 1995. Given the temporary nature of placements at the ranch, this number fluctuated during the above time period.

64. Because some if not all of the House 2 Boys were minors and involuntary PINS placements in the custody of THCR, the House 2 Boys will be referred to by initials. Where the last name of a House 2 Boy is unknown, it will be designated with the letter X. The House 2 Boys included:

a. Resident J.M. ("J.M"), upon information and belief, was approximately 17 years of age at all relevant times. Plaintiff's height reached J.M.'s shoulder.

b. Residents C.W. ("C.W.") and S.W. ("S.W.") are brothers, aged 16 and 15, respectively, at all relevant times. In 2019, C.W. pled guilty to 1 count of Correction Law § 168-t, Failure to Register as a Sex Offender, a Class D Felony.

c. Resident Kenny G. ("Kenny G.") was, upon information and belief, 19 years of age at all relevant times and had resided at the ranch for over five years. Kenny G. is now a THCR employee.

d. Residents R.X. ("R.X.") and K.X. ("K.X.") are, upon information and belief, cousins.

e. Additional residents of House 2 included Residents I.X., S.N., T.X., N.X., and C.X. (All residents referenced in ¶ 64 are collectively referred to as "House 2 Boys").

65. Plaintiff, at 12 years of age, was the smallest resident of House 2.

From the Beginning, Lawlessness and Abuse at Timothy Hill Ranch

66. The regular practice at House 2 was for the Tim and the House 2 Parents to retire to their personal quarters after the “lights out” sleeping period commenced. After this point, the House 2 Boys and Plaintiff were left virtually unsupervised.

67. On infrequent occasions, a THCR employee and son of co-founders, Titus Hill, entered House 2 at night to conduct a purported patrol. This patrol was ineffective and inadequate, as the House 2 Boys could hear when said THCR employee’s vehicle was approaching House 2 and prepare accordingly.

68. Upon arriving to House 2 in January of 1995, Plaintiff was informed that due to lack of space, Plaintiff would be given a sleeping bag and would sleep on the floor of a bedroom.

69. Defendant Corazzini was one of the THCR employees who initially greeted Plaintiff at House 2. At that time, at the age of 12, Plaintiff displayed to THCR employees a limited proficiency in speaking English, as his primary language was Spanish.

70. Due to the above, Defendant Corazzini arranged for Plaintiff to meet J.M., who also spoke Spanish, and for Plaintiff to sleep in J.M.’s room.

71. Because of Defendant THCR’s decision to have Plaintiff share a bedroom with J.M., Defendant THCR granted J.M., of approximately 17 years of age, regular access to House 2’s youngest resident.

72. On Plaintiff’s first night at the ranch, he slept on the floor of J.M.’s room.

73. On Plaintiff’s second and third nights at the ranch, J.M. invited Plaintiff to share his bed and sexually abused Plaintiff.

74. For example, on the third night, J.M. forced Plaintiff to stroke J.M.'s penis. Plaintiff complied out of fear. J.M. then said to Plaintiff, in sum and substance, "if you say anything about this, I'm going to hurt you".

75. Due to the age and developmental difference between Plaintiff and the other residents of House 2, it was a regular occurrence for some of the House 2 Boys to steal Plaintiff's food at meal time.

76. Upon information and belief, several of the House 2 Boys had, at all material times, been adjudicated PINS. Nevertheless, after "lights out" those same residents of House 2 were left unsupervised at night.

77. The lack of adequate supervision created an aggressive and dangerous environment where Plaintiff feared for his safety and food security. J.M. took advantage of this inadequate supervision and access to the Plaintiff to repeatedly – over multiple nights – sexually assault, sexually abuse, and /or have sexual contact with Plaintiff in violation of the laws of the State of New York.

"Say Goodnight to Pee Pee" & Ranch "Initiation"

78. After a few days, space in a House 2 bedroom was made available and Defendant THCR removed Plaintiff from J.M.'s room and assigned Plaintiff to the bedroom closest to the residential units occupied by House 2 Parents.

79. This proximity to the House 2 Parents, without adequate supervision, did nothing to prevent Plaintiff's victimization.

80. On one occasion, after "lights out", J.M. entered Plaintiff's bedroom and escorted Plaintiff back to J.M.'s bedroom.

81. I.X. was present in J.M.'s bedroom waiting for Plaintiff.

82. Once J.M. brought Plaintiff into said bedroom, C.W. also entered said bedroom.
83. J.M. ordered Plaintiff to get on his knees, and to "smell" and "kiss" J.M.'s penis.
84. Then 12-year-old Plaintiff, in a room with three older and larger residents, complied out of fear, while Resident I.X. giggled.
85. J.M. then ordered Plaintiff to "smell" and "kiss" I.X.'s penis.
86. Plaintiff complied.
87. J.M. then ordered Plaintiff to "smell" and "kiss" C.W.'s penis.
88. Plaintiff complied.
89. Residents J.M., I.X., and C.W. accomplished the above abuse by using violence and threats of violence to prevent Plaintiff from reporting the sexual abuse. This included subjecting 12 year old Plaintiff to punching, kicking, and cigarette burns.
90. Under the supervision of Defendant THCR, while residing in House 2, Plaintiff was treated like a piece of sexual property with such regularity that some had a nickname for the above nighttime activities with Plaintiff: "say goodnight to pee pee".
91. On a separate occasion, after "lights out", J.M. went to Plaintiff's bedroom, and took Plaintiff to I.X.'s bedroom. There, Plaintiff was sexually abused similarly to the above-mentioned incident.
92. Upon information and belief, the majority, if not all, of the House 2 Boys feared J.M.
93. J.M. would regularly slap Plaintiff in the back of the head, and encourage other residents to similarly physically abuse Plaintiff.
94. For instance, on one occasion, R.X. and S.W. grabbed Plaintiff, pinned him against a wall and obstructed Plaintiff's breathing by covering his mouth and nose. As this

happened, J.M. was yelling, in sum and substance, “you gotta do that, he hasn’t been initiated yet”.

95. As the assigned Certified Social Worker for House 2, Defendant Corazzini was the initial adult with whom Plaintiff could discuss his problems at the ranch.

96. Plaintiff reported to Defendant Corazzini about J.M. striking Plaintiff and causing him to be “initiated” by other boys, referring to the above incident where his breathing was obstructed.

97. After Plaintiff went to Defendant Corazzini’s office in House 2, Defendant Corazzini summoned J.M. to her office with Plaintiff still there.

98. Defendant Corazzini then asked Plaintiff to restate the allegations in front of the older and larger Resident J.M. Confronted this way, and well aware that he would not be protected from retaliation at the ranch once it was “lights out”, Plaintiff withdrew his complaints.

99. This pattern would repeat itself whenever Plaintiff would report bullying or abusive behavior from House 2 Boys to Defendant Corazzini.

Defendant THCR Was Aware of Plaintiff’s Obvious Victimization

100. On multiple instances and in addition to the above, Plaintiff was openly targeted by the House 2 Boys. The below examples are a mere illustration of some of the abuse that occurred at the ranch.

101. Plaintiff was thrown into a frigid pond. As mentioned above, there was a pond on the ranch premises. On one day in early 1995, J.M. ordered Plaintiff to go into said pond. Plaintiff did not voluntarily go into pond. Plaintiff refused, and J.M. threatened to throw Plaintiff into an occupied bullpen.

102. J.M. grabbed Plaintiff by his legs and another resident, identity unknown at this time, grabbed Plaintiff by his arms. These two boys threw Plaintiff into the pond and yelled that there were snapping turtles in the pond. The water was deep enough that Plaintiff clung to a tree branch in the pond for safety.

103. While Plaintiff clung onto a tree branch in the pond, some of the Residents threw rocks at Plaintiff. In addition to J.M., S.W., R.X. and S.N. were present.

104. Plaintiff was assaulted off-premises. On occasion, the House 2 Boys were allowed to leave the ranch. The lack of supervision on these occasions exposed Plaintiff to physical harm. On one such occasion, several House 2 Boys were off-premises. J.M. invited Plaintiff to smoke, asking Plaintiff, in sum and substance, “don’t you want to be cool?”

105. Plaintiff followed J.M. to an outdoor area, where T.X. awaited with his younger brother and parents. T.X.’s younger brother was not a resident of the ranch.

106. T.X.’s younger brother then began striking Plaintiff in the face, knocking Plaintiff to the ground. J.M. and T.X., as well as T.X.’s parents, watched and laughed.

107. J.M. threatened Plaintiff with physical harm if he reported this incident.

108. Plaintiff was forced to smear his face and head with cow feces. As mentioned above, it was part of the Defendant THCR’s operations and pursuant to Jerrell and Fern’s stated intentions that ranch residents were required to complete outdoor chores. Residents would regularly do this with no adult staff supervision whatsoever. On one occasion, J.M., and a resident from House 1, P.X., were with Plaintiff near a pile of cow feces.

109. J.M. ordered Plaintiff to smell some of the feces. When Plaintiff refused, J.M. and P.X. began poking Plaintiff with pitch forks. Plaintiff was then forced to pick up cow feces and smear them on his face and head.

110. J.M. threatened Plaintiff with physical harm if he reported this incident.

111. Lit Firecrackers were placed in Plaintiff's backpack. When going to and from Riverhead Middle School, Plaintiff had to walk through unsupervised areas of the ranch.

112. Plaintiff routinely had to be on the lookout as he walked through the ranch. On more than one occasion, some of the House 2 Boys would place lit firecrackers in Plaintiff's backpack. For example, S.W. would hug Plaintiff and hold him immobile, while other boys would place the combustibles in Plaintiffs backpack and then watch and laugh as Plaintiff ran in terror.

113. House 2 Boys would routinely threaten Plaintiff with physical harm if he reported the above abuse.

114. On one occasion, Plaintiff's sister visited him at the ranch. After that visit, some of the Residents would threaten that they would hurt her if Plaintiff reported abuse.

115. C.W.'s repeated sexual advances. On one occasion, Plaintiff knocked on Resident C.W.'s door, because Plaintiff was curious about the song Resident C.W. was playing on his speakers. Resident C.W. informed Plaintiff that the song was by a rapper named "Lil Vicious" and invited Plaintiff to come into Resident C.W.'s bedroom.

116. Plaintiff refused out of fear, and only agreed to come inside when C.W. agreed that C.W. would leave the bedroom door unlocked.

117. C.W. played the above-mentioned song a few times, and then exposed his penis.

118. Plaintiff was very fearful, because unlike the first time Plaintiff was sexually abused by C.W., this time C.W. had an erect penis.

119. Plaintiff said that he had to leave. C.W. said, in sum and substance, "alright you can go but don't tell anyone about this". After Plaintiff made the promise, C.W. then allowed Plaintiff to leave the bedroom.

120. Plaintiff was nearly burned in communal shower. As mentioned above, the negligent and inadequate supervision at House 2 exposed Plaintiff to a pattern of regular abuse, theft, and bullying by some of the House 2 Boys.

121. This sexual and physical abuse was so open that Plaintiff would attempt to avoid using the common bathroom while the House 2 Boys were present, because some of them would harass Plaintiff in the bathroom.

122. On one occasion, during the daytime, while Plaintiff was in said bathroom, C.W. entered and told Plaintiff, in sum and substance, "yo let's go in my room".

123. Plaintiff refused.

124. C.W. said, "I want you to suck my dick".

125. Plaintiff refused.

126. C.W. then grabbed Plaintiff by his shirt, turned the hot water on in one of the shower stalls, and threw Plaintiff into the shower.

127. Plaintiff was screaming as he tried to get out of the shower.

128. C.W., who was wearing heavy work boots at the time, kept Plaintiff in the stream of dangerous water by kicking at Plaintiff.

129. Various Defendants – all employees of THCR – became personally aware of Plaintiff's victimization in different ways.

130. Plaintiff directly told Defendant Corazzini about how he was assaulted off-site by T.X.'s younger brother. Upon information and belief, Defendant Corazzini, a mandatory reporter under the Social Services Law, did not take any further action.

131. Plaintiff directly told Defendant Corazzini about how he was thrown into the frigid pond several days after it happened. Defendant Corazzini, a mandatory reporter under the Social Services Law, stated that she would look into it, but, upon information and belief, did not report the incident.

132. Plaintiff directly told THCR employee Tim of House 2 about the incident involving the cow feces. Upon information and belief, no report of the incident was made.

133. Defendants failed to provide any adequate security measures to prevent the above abuse, or to impose any consequences or corrective measures in regards to the above.

134. Defendant THCR knew, and/or reasonably should have known, and/or knowingly condoned, and/or covered up, the above unlawful sexual activities and targeted violence occurring at Timothy Hill Children's Ranch.

Additional Signs of Inadequate Supervision and Security at the Ranch

135. The failure by Defendant THCR to implement any protective measures whatsoever was not limited to the Plaintiff. The incidents described below are examples and do not represent the total number of instances where negligent supervision and security was observed.

136. THCR employee "Mitch" was popular with the House 2 Boys because he took some of them to a 7-Eleven convenience store and bought cigarettes and condoms for them. "Mitch" used a van owned by Defendant THCR for these trips.

137. Due to the lax supervision, on some nights, Kenny G., at around 19 years of age, brought multiple teenage females to his bedroom in House 2. When this occurred, some of the House 2 Boys, excluding the Plaintiff, would enter Kenny G.'s bedroom.

138. Kenny G. was provided with privileges to leave the ranch by Defendant Gerrard. Kenny G., who had lived at the ranch since he was 13 years old, was one of the ranch's "oldest and longest-standing residents, he's earned extra freedoms and privileges, and he takes on extra responsibilities" (John Carter, *Life Lessons at the Ranch: Horses and TLC Transform Timothy Hill 'PINS' into Men*, The Riverhead News Review, Sept. 8, 1994. at 2, col. 3)(Attached as Exhibit B)

139. T.X. was allowed to have his parents visit him at the ranch and take him off-site for several hours. On one such occasion, T.X. was left with a bottle of liquor and House 2 Boys, excluding the Plaintiff, would consume the alcohol in T.X.'s room in House 2.

140. Some of House 2 Boys regularly used marihuana, amongst other illegal substances. On one occasion, succumbing to insecurity and fear from the House 2 Boys, Plaintiff agreed to hold a quantity of marihuana on behalf of Resident R.X.

141. That same day, Plaintiff was apprehended by school staff at the Riverhead Middle School in Riverhead, New York.

142. When Plaintiff reported to Defendant Corazzini where he had obtained the marihuana from, multiple House 2 Boys were drug tested. Plaintiff passed and the others who were tested in House 2 failed.

143. That same day, in retaliation, R.X. forced Plaintiff out of Plaintiff's bedroom, took him to R.X.'s bedroom, tied Plaintiff up to a chair, and proceeded to strike him repeatedly in the face and spit in Plaintiff's eye. R.X. did this in full presence of S.N.

144. Due to the retaliatory abuse Plaintiff suffered, Plaintiff became a frequent visitor to her office in the basement of House 2 to complain about said abuse.

145. Upon information and belief, Defendant Corazzini, a mandatory reporter under the Social Services Law, did not report any of the above incidents nor engage in further investigation into Plaintiff's well-being.

146. Defendant Corazzini did not offer Plaintiff a course of treatment, and failed to take any steps to safeguard Plaintiff or other residents at the ranch from the ongoing abuse Plaintiff was reporting.

147. Defendant Corazzini failed to notify law enforcement authorities that she had received credible information from a 12 year old child that he had previously been physically assaulted.

148. At no time did Plaintiff feel safe enough to report any of sexual abuse he was suffering, as those attacks invited an entirely different level of violence, fear, and shame in Plaintiff.

149. Despite all of the above, Defendant THCR consistently disregarded any and all of Plaintiff's complaints and failed to provide any supervision of Plaintiff whatsoever.

150. Further, despite having direct knowledge about Plaintiff's targeted, repeated victimization, Defendant THCR never took steps to remedy their reckless failure to implement much needed night time supervision of the residents of House 2.

151. Despite all of the above, Defendant THCR and Defendant Corazzini allowed Plaintiff to remain at House 2 and/or did absolutely nothing to relocate Plaintiff from House 2, to increase the amount of supervision on Plaintiff, or to remedy their inadequate night time supervision of the residents of House 2 Boys.

152. Defendant THCR knew, and/or reasonably should have known, that the level of supervision, security measures, and incident reporting at the ranch was woefully inadequate.

153. Defendants' negligent and inadequate supervision and monitoring allowed the following documented and bloody sexual abuse to happen to Plaintiff.

The April 1995 Sexual Assaults at The Ranch

154. In or around April of 1995, a 16 year-old-old male with the initials "A.R." ("A.R.") was admitted to the ranch and assigned to House 2.

155. A.R. had on a previous occasion been a resident of the ranch.

156. Upon A.R.'s arrival at House 2, it was apparent he shared a gang affiliation with J.M., as they exchanged gang hand signs while at the ranch.

157. On A.R.'s first night at the ranch in April 1995, J.M. directed A.R.'s attention to Plaintiff and directed A.R. to Plaintiff's bedroom.

158. Starting on his first night at the ranch, A.R. moved into Plaintiff's bedroom.

159. Resident A.R. was at least 4 years older than then 12-year-old Plaintiff.

160. This sleeping arrangement was facilitated by Defendants' negligence, who had previously assigned A.R. to a different bedroom but did not enforce said sleeping arrangements, let alone supervise any activity, after "lights-out."

161. By April 1995, Plaintiff had suffered months of ongoing physical, mental, and sexual abuse within House 2, especially from J.M.

162. By April 1995, Plaintiff had no reason to believe anyone at the ranch would protect him from further violence and abuse.

163. Plaintiff observed the interactions between J.M. and A.R., and feared A.R. with the same intensity that Plaintiff feared J.M.

164. As a result of Defendant THCR's lack of enforcement of separately assigned bedrooms, lack of adequate supervision, and lack of appropriate security measures, A.R. was provided regular access to Plaintiff.

165. On the first night that A.R. was at House 2, inside Plaintiff's bedroom, he forced Plaintiff to engage in non-consensual sexual touching and oral sex.

166. On the second night that A.R. was at House 2, he was allowed a visitor. A.R. hosted a teenage female, had sexual intercourse with her inside House 2, and then showed Plaintiff the condom that A.R. had used.

167. Over the following several days, A.R. continued to sexually abuse Plaintiff at night.

168. On the night of April 11, 1995, A.R. and Plaintiff were alone in Plaintiff's bedroom.

169. That night, A.R. forced Plaintiff onto a bed and forcibly penetrated Plaintiff's anus with A.R.'s penis.

170. Plaintiff begged A.R. to stop.

171. A.R. did not stop.

172. Plaintiff screamed for House 2 Parents Mark and Rose Pettit by name, until A.R. stuffed a clothing item in Plaintiff's mouth to muffle his screams of agony and pain.

Staff's Negligent Response To Plaintiff's Sexual Assault

173. As a result of the above, Plaintiff was severely bleeding from his rectal area in the common bathroom of House 2 the following morning.

174. In response to Plaintiff bleeding on the morning of April 12, 1995, Plaintiff was instructed to change his clothes. Plaintiff did so, leaving behind bloody articles of clothing in the common bathroom and his bedroom in House 2.

175. Plaintiff was hospitalized on April 12, 1995, at Central Suffolk Hospital for the sexual assault that occurred at the ranch by A.R., while both were in Defendant THCR's care and custody.

176. At no time was Plaintiff's family or parents notified of the sexual assault on Plaintiff or of the subsequent hospitalization.

177. At no time during Plaintiff's hospitalization did any of the Defendants notify law enforcement about the sexual assault Plaintiff had suffered at the ranch.

178. The sexual assault was not reported by Defendant THCR to the local police until April 20, 1995.

179. The initial report by Defendant THCR to the police about the above sexual assaults was conveyed by Defendant Gerrard, who characterized the events as sodomy that had occurred approximately three weeks prior to April 20, 1995.

180. Plaintiff was not interviewed by local police until April 21, 1995.

181. A.R. was escorted by Defendant Gerrard to the Riverhead Police Station and placed under arrest on April 24, 1995, and charged with two misdemeanor violations of Penal Law 130.60(2) – Sexual Abuse in the 2nd Degree.

182. What occurred during the eight day gap in time from the sexual assault to the initial reporting of the crime includes what follows.

Defendant's Attempts To Cover-Up The Sexual Assault Through Guilt-Shaming of Plaintiff's Sexual Orientation

183. During the above-mentioned hospitalization, Defendant Fern visited Plaintiff's bedside and observed his condition.

184. Defendant Fern spoke to Plaintiff about sexuality and sin. Defendant Fern explained Plaintiff's sexual assault as a punishment from God for being homosexual, and that Plaintiff could be cured from homosexuality through prayer.

185. Once Plaintiff was discharged, Defendant THCR again took custody of Plaintiff, and transported him to the private residence of Defendants Jerrell and Fern, located, upon information and belief, in Riverhead, Suffolk County.

186. During this time, while residing in Defendants Jerrell and Fern's residence, multiple prayer groups at the private residence were held with other adults, at which Plaintiff was present and during which Fern stated out loud to Plaintiff that if Plaintiff prayed, he would be cured.

187. Thus, Plaintiff's feelings of intense emotional distress, intimidation, humiliation, and shame were further magnified.

The Truth Emerges At Plaintiff's Middle School

188. Following the hospitalization, while Plaintiff continued to reside at the private residence of Defendants Jerrell and Fern, Plaintiff resumed attending Riverhead Middle School.

189. While at school, Plaintiff was questioned by one of his teachers regarding his noticeable limp. Plaintiff disclosed that he had been sexually assaulted at the ranch. Said teacher notified another adult from Riverhead Middle School, Salvatore Loverde, who was employed as the Program Director by THCR while also being employed as a teacher at Riverhead Middle School.

Timothy Hill Children's Ranch Attempts to Cover-Up the Sexual Assault by Blaming The 12-Year Old Victim

190. After the above disclosure at Plaintiff's Middle School, Defendant Gerrard began using his access to Plaintiff through his position as Deputy Executive Director at the ranch, to have several private conversations with Plaintiff on THCR premises.

191. Also present during these conversations between Defendant Gerrard and Plaintiff was Defendant Jerrell.

192. During the first of these conversations, Defendant Gerrard said to the 12-year-old Plaintiff that Plaintiff could be in trouble and that there was the possibility of Plaintiff going to jail. Among other things, Defendant Gerrard told Plaintiff, "what you did was wrong, you could get in big trouble, even jail."

193. After Defendant Gerrard had begun talking to Plaintiff, Defendant Jerrell entered the room and had a conversation with Defendant Gerrard.

194. During a subsequent conversation held on a separate day, Defendant Gerrard said to Plaintiff that "some people are going to come to talk to you", "you have to be careful what you say, you can't put all the blame on him", and "you have to take responsibility".

195. Further, Defendant Gerrard specifically instructed Plaintiff to state to police that Plaintiff had initiated contact with A.R. by asking the latter if he liked, "whores or gays". This conversation took place in a small office room, occupied only by the 12 year old Plaintiff, Defendant Gerrard, and Defendant Jerrell.

196. On April 20, 1995, Defendant Gerrard, reported the sexual assault by A.R. to the Riverhead Police Department, and characterized the events as sodomy. Defendant Gerrard's report was nearly two weeks after the assault.

197. On April 21, 1995, Detectives from the Riverhead Police Department responded to, and met with Jerrell and Gerrard.

198. Following this, a Detective from the Riverhead Police Department interviewed Plaintiff, in the presence of Gerrard.

199. Plaintiff disclosed two specific instances of sexual assaults to the Detective, and in accordance to the instructions he received from Gerrard, also stated that Plaintiff had asked Resident A.R. if he liked "whores or gays".

200. Out of fear of reprisal from both the House 2 Boys and the Defendants, and out of the humiliation and shame resulting from his time at the Hill Residence with Defendants Jerrell and Fern, who taught Plaintiff that he shared blame for and suffered God's punishment by sexual assault, Plaintiff only reported the above regarding A.R., and did not report to the police the other instances of physical, emotional, and sexual abuse he suffered at the ranch.

201. Accordingly, the Riverhead Police Department filed two Local Criminal Court Complaints charging Resident A.R. with two counts of Sexual Abuse in the Second Degree.

202. Plaintiff's bedroom in House 2, where Plaintiff had left his bloody underwear and blood residue on the floor, had been cleaned by the time Plaintiff was forced to return to House 2 in late April 1995.

203. Plaintiff's clothes in his assigned bedroom in House 2, had been folded and sorted.

204. Plaintiff never saw his bloody underwear again.

205. Upon information and belief, at no time were said bloody clothes or any bed sheets provided to law enforcement.

Timothy Hill Ranch's Continued Neglect Of Plaintiff

206. Following the April 1995 arrest of A.R., Plaintiff continued to reside in the custody of Defendant THCR, but was moved out of Defendant Jerrell and Fern's private residence to live back in House 2.

207. At this time, Plaintiff resumed regular activities at the ranch, including working at the barn with other residents under the supervision of Defendant Zuzierla.

208. On one such occasion, Plaintiff was playing on a hay bale, rather than working his mandatory chores. Defendant Zuzierla commanded Plaintiff to stop playing on a hay bale. Defendant Zuzierla then grabbed Plaintiff and dangled Plaintiff off the side of the Barn, two stories high, while holding Plaintiff by his feet.

209. In terror for his life, Plaintiff flailed and grabbed at Defendant Zuzierla's body for stability.

210. Defendant Zuzierla then threw Plaintiff to the floor of the barn, grabbed Plaintiff by the neck, and yelled that Plaintiff was "faggot" and a "cocksucker" and that he "better not try to get me arrested too".

211. Defendant Zuzierla did the above in the presence of other boys from the ranch, and then yelled at them, "you better stay away from him if you don't want to end up getting arrested and on the news the way A--- [A.R.] did".

212. As a direct and proximate result of the above, Plaintiff was humiliated, shamed, and immediately expressed a desire to kill himself. As detailed below, suicidal ideations were just one of multiple debilitating symptoms that followed Plaintiff throughout his life.

213. On a separate occasion, while Plaintiff was beginning to join the House 2 Boys in outdoor chores, J.M. assaulted Plaintiff by throwing dirt in Plaintiff's eyes.

214. TCHR employee Tim intervened and stopped J.M. from further assault, yelling "you can't do anything to him."

215. This was the first time any adult at the ranch tried to protect the then 12-year-old Plaintiff.

216. In May 1995, Defendant THCR attempted to terminate Plaintiff's time at the ranch, in an effort to save face for allowing the above acts to transpire.

217. Defendant THCR did this through its social worker, Defendant Corazzini, who submitted a mischaracterization of Plaintiff's sexual assault to the New York State Division for Youth, stating that Plaintiff, at 12 years of age, "was involved in an incident with a sixteen (16) year old resident, who was arrested on charges of Sexual Assault 2nd Degree" (emphasis added).

218. During the final days of Plaintiff's time at the ranch, Defendant Corazzini took Plaintiff to the Pizza Hut food restaurant in Riverhead, New York.

219. At the restaurant, Defendant Corazzini apologized to Plaintiff, and said that she and the Timothy Hill Children's Ranch had failed him.

220. Plaintiff at this point was 12 years old and could not understand the circumstances of the apology.

221. Plaintiff did ask for Defendant Corazzini to buy him a "Casper" action figure that the Pizza Hut was selling at the time. Defendant Corazzini purchased the toy for Plaintiff.

Reasons For A Cover-Up

222. Plaintiff was hospitalized on April 12, 1995, for a sexual assault that occurred at the ranch, perpetrated by A.R., both of whom were in THCR's care and custody at the time. The sexual assault was not reported by Defendant THCR to the local police until April 20, 1995.

223. A.R. was a second-time resident of the ranch, i.e., a product and reflection of the ranch, and contrary to what Jerrell's hopes that people would see "that these boys aren't little demons... these kids are as good as any in the community, and we're trying to make them a little better – good men, well-adjusted and contributing to society" (John Carter, *Life Lessons at the Ranch: Horses and TLC Transform Timothy Hill 'PINS' into Men*, The Riverhead News Review, Sept. 8, 1994 at 2, col. 3)(Exhibit B)

224. By 1995, Defendant THCR was in the practice of holding an Annual Long Island Friends Dinner fundraiser. Defendant THCR's 21st Annual Long Island Friends Dinner was scheduled for May 5, 1995.

225. Prior to and throughout the material times in this action, Defendant THCR was concentrating on a high profile fundraising effort towards a new Administrative/Family Counseling Center, which was scheduled to begin construction in June 1995.

226. Thus, Defendant THCR had the financial and reputational motives to protect the ranch's reputation as a responsible caretaker of the children in their custody. Defendants Jerrell, Fern, Gerrard, and Corazzini acted on that motive in their dealings with Plaintiff and their failures to report suspected child abuse.

227. Furthermore, the forcible sexual assault that sent Plaintiff to the hospital was committed by two-time resident of the ranch, A.R. Defendant THCR's financial and reputational motive to protect the ranch's reputation extended to protecting the reputation of its alumni. Thus, Defendant THCR, through the actions and omission of Defendants Jerrell, Fern, Gerrard, and Corazzini, attempted to minimize the gravity of the incident, because A.R. was a reflection of the ranch and a reflection of their adequacy as caretakers.

228. Accordingly, Defendant THCR sought to downplay Plaintiff's rape to avoid any adverse impact on their fundraising efforts.

Additional Allegations

229. At all times material hereto, Defendants were under the management, supervision, employ, direction and/or control of Defendant THCR.

230. At all material times, the ranch was and is closely managed, directed, and controlled by THCR.

231. Upon information and belief, Defendant THCR had at no time implemented rules, regulations or policies concerning or addressing either sexual abuse or the reporting thereof.

232. Over the years since 1995, the ranch has also been managed, directed, and controlled by Timothy Hill Farm, LLC; Apple Day Camp, Incorporated; and Timothy Hill Christian Camp, Inc.

233. Defendant THCR knew, and/or reasonably should have known, and/or knowingly condoned, and/or covered up, the inappropriate and unlawful sexual activities occurring at Timothy Hill Children's Ranch.

234. Defendant THCR had a duty to the Plaintiff to ensure that Defendant THCR did not offer opportunities for the assault of vulnerable children. Defendant THCR knew and/or should have known that the level of supervision and negligence made possible the assault and bullying of minor children, including Plaintiff, and made possible, and was, used to provide opportunities for sexual abuse.

235. Plaintiff suffered personal physical and psychological injuries and damages as a result of Defendants' actions, as well as other damages related thereto, as a result of his childhood sexual abuse.

236. As a direct and proximate result of Defendants' conduct described herein, Plaintiff suffered and continues to suffer great pain of mind and body, severe and permanent emotional distress, and physical manifestations of emotional distress. Plaintiff has been prevented from obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of the sexual abuse allowed by the Defendants, Plaintiff is unable at this time to fully describe all of the details of that abuse and the extent of the harm he suffered as a result.

237. Plaintiff's physical and emotional abuse from his time at the ranch, moreover, has been exacerbated by the pain and humiliation inflicted on him by Defendant Corazzini, who marginalized him, ignored his complaints, failed to take appropriate and reasonable responses to the observed abuse and his reports of abuse, and in all aspects failed to act as a reasonable and prudent guardian.

238. Plaintiff's physical and emotional abuse from his time at the ranch, moreover, has been exacerbated by the pain and humiliation inflicted on him by Defendants Jerrell and Fern Hill, Defendant Gerrard, and Defendant Zuzierla, who caused him to feel religious shame and fear in an effort to coerce him to take responsibility and characterize the sexual abuse as consensual, who delayed reporting Plaintiff's bloody sexual assault to law enforcement, and who in all aspects failed to act as a reasonable and prudent guardian.

239. The level of supervision and security measures at the ranch was lacking prior to 1995.

240. As recently as 1989, there were three reported accidents occurring on Middle Road, all involving THCR employees and vehicles.

241. Upon information and belief, one of those incidents involved a THCR employee driving a THCR-owned van, while intoxicated, in the daytime, with THCR children on board.

242. Upon information and belief, another of those incidents involved a THCR counselor crashing through the fence of a private home neighboring the ranch.

243. To this day, Defendants on their website continue to hold themselves out to the public as a “safe haven” for children in times of abuse, neglect, and crisis.

244. There exists reason to believe that the same negligent and inadequate supervision and security measures, and negligent failures to report suspected child abuse, persist at the ranch.

245. On May 20, 2014, the Riverhead News Review reported in an article titled “Teen accused of felony sex act at Timothy Hill ranch”, that a “17-year-old accused of committing a felony sex act against another male teen at the Timothy Hill Children’s Ranch was released on \$2,500 bail after pleading not guilty...”. The article further reports that “[c]ourt papers allege that Mr. Wassenaar pushed his 16-year-old victim into a bathroom at the Arnold House at the ranch and sodomized him about 4:30 p.m. Sunday”.¹

Causes of Action
FIRST CAUSE OF ACTION
Negligent Supervision and Oversight
(As to Defendant THCR, THCR Board of Trustees, and Corazzini)

246. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein.

¹ <https://riverheadnewsreview.timesreview.com/2014/05/54434/teen-accused-of-felony-sex-act-at-timothy-hill-ranch/>. The same publication would publish an article on August 16, 2014 announcing that prosecutors “have dismissed a felony sex offense” and “a further charge against the teen has been adjourned pending its dismissal”. See <https://riverheadnewsreview.timesreview.com/2014/08/57151/felony-sex-charge-against-teen-dropped-other-charge-to-be-dismissed/>.

247. At all material times, Defendant THCR, THCR Board of Trustees, and Corazzini collectively and individually, owed a duty to adequately supervise the persons placed in their care at the ranch.

248. At all material times, Defendants THCR, THCR Board of Trustees, and Corazzini carelessly and negligently failed to adequately supervise Plaintiff and the other residents in their custody, even after specific, repeated complaints of physical abuse by residents in their custody had been lodged by Plaintiff to multiple employees of Defendant THCR, including but not limited to Defendant Diane Corazzini.

249. Indeed, even after receiving numerous complaints of the other House 2 Boys assaulting Plaintiff, Defendant THCR, THCR Board of Trustees, and Corazzini allowed the inadequate level of supervision to remain.

250. At all material times, Defendants THCR, THCR Board of Trustees, and Corazzini carelessly and negligently ignored the circumstances of Plaintiff at House 2, including the age and size difference between Plaintiff and the House 2 Boys, and the corresponding lowered capacity of the Plaintiff to provide for his own safety.

251. At all material times, despite having actual knowledge of Plaintiff being the specific target of emotional and physical abuse by some of the House 2 Boys, Defendants THCR, THCR Board of Trustees, and Corazzini carelessly and negligently failed to adequately supervise House 2 and permitted the House 2 Boys free access to Plaintiff.

252. At all material times, Defendants THCR, THCR Board of Trustees, and Corazzini knew of, or should have known of, the potential for physical and sexual abuse of younger residents by older residents.

253. As a direct and proximate result of Defendants THCR, THCR Board of Trustees, and Corazzini's negligent supervision of Plaintiff, including the complete absence of adequate security or supervisory measures at night and on the ranch premises, Plaintiff was repeatedly sexually abused by multiple House 2 Boys, including J.M., resulting in life-long physical and psychological and emotional harm.

254. As a direct and proximate result of Defendants THCR, THCR Board of Trustees, and Corazzini's negligent supervision of Plaintiff, including the complete absence of adequate security or supervisory measures at night and on the ranch premises, after months of reported and observed abuse targeted specifically against Plaintiff, Plaintiff was sexually abused by A.R., resulting in life-long physical and psychological and emotional harm.

255. The assault of younger children by older teenagers, especially in a temporary group home environment, is a foreseeable result of such negligence.

256. As a direct and proximate result of Defendant THCR, THCR Board of Trustees, and Corazzini's negligent supervision of Plaintiff, Plaintiff has suffered and will continue to suffer the injuries described herein.

257. At all relevant times, Defendant THCR, THCR Board of Trustees, and Corazzini represented or otherwise indicated to the public at large that resident children and teenagers would be physically safe while in the presence of staff and social workers employed by Defendant THCR. In doing so, Defendant THCR, THCR Board of Trustees, and Corazzini entered into an express and/or implied duty to provide that children and teenagers left in the supervision of THCR employees would be kept reasonably safe.

258. The above-stated acts and omissions of Defendants THCR, THCR Board of Trustees, and Corazzini demonstrated a reckless and conscious disregard of the rights, health,

and safety of the Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

259. By reason of the foregoing, the Defendants THCR, THCR Board of Trustees, and Corazzini are liable to the Plaintiff, jointly, severally, and/or in the alternative, for compensatory damages, and punitive damages, together with interest and costs.

SECOND CAUSE OF ACTION**Negligence/Gross Negligence**

(As to Defendant THCR, THCR Board of Trustees, Jerrell, Fern, Gerrard, and Corazzini)

260. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein

261. At all material times, Defendants collectively and individually, owed a duty to adequately supervise the persons placed in their care.

262. At all times material hereto, with regard to the allegations contained herein, Defendants Jerrell, Fern, Gerrard, and Corazzini were under the supervision, employ, direction and/or control of Defendants THCR and THCR Board of Trustees.

263. At all times material hereto, with regard to the allegations contained herein, THCR and the THCR Board of Trustees closely managed, directed, and controlled the ranch, and had oversight, control, and autonomy over the appointment and hiring and firing decisions of all staff and social workers at the ranch.

264. Defendants at all relevant times represented or otherwise indicated to the local family courts of and to the public at large that minor children and teenagers would be physically safe while in the custody of Defendant THCR and in presence of the staff and social workers assigned to the ranch.

265. All Defendants owed a duty of care to all children and teenage residents, including Plaintiff, to provide adequate supervision and prevent foreseeable injuries, as well as to respond appropriately if any injuries do occur to the residents in their custody.

Failure to Provide Adequate Supervision

266. As discussed above in Paragraphs 248 through 260, at all material times, Defendants THCR, THCR Board of Trustees, and Corazzini carelessly and negligently failed to adequately supervise Plaintiff.

267. As discussed above in Paragraphs 248 through 260, Defendants THCR, THCR Board of Trustees, and Corazzini knew of, or should have known of, the potential for physical and sexual abuse of younger residents by older residents.

268. As discussed above in 248 through 260, as a direct and proximate result of Defendant THCR, THCR Board of Trustees, and Corazzini's negligent supervision of Plaintiff, Plaintiff was repeatedly sexually abused by some of the House 2 Boys, including J.M., resulting in life-long physical, psychological and emotional harm.

269. As discussed above in 248 through 260, as a direct and proximate result of Defendant THCR, THCR Board of Trustees, and Corazzini's negligent supervision of Plaintiff, Plaintiff was sexually abused by A.R., resulting in life-long physical, psychological and emotional harm.

Failure to Respond Appropriately

270. Defendants THCR, THCR Board of Trustees, Jerrell, Fern, Gerrard, and Corazzini's actions in response to the above sexual abuse constituted a reckless and conscious disregard of the rights, health, and safety of the Plaintiff, and were so malicious, willful, and

wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, gives rise to punitive damages.

271. Upon information and belief, Defendant THCR and THCR Board of Trustees had at no time implemented rules, regulations or policies concerning or addressing neither sexual abuse nor the reporting thereof.

272. Upon information and belief, in response to learning of the above abuse, Defendant THCR caused Plaintiff's bedroom to be cleaned and his bloody clothes to be removed from the bedroom.

273. Upon information and belief, the above-mentioned bloody clothes were never delivered to law enforcement.

274. Beginning the morning of April 12, 1995, Plaintiff would come to spend several days in the hospital for treatment of his physical injuries.

275. After Plaintiff's discharge from the hospital, Defendants THCR, THCR Board of Trustees, Jerrell, Fern, Gerrard and Corazzini failed to provide an appropriately trained rape crisis counselor or suitable substitute. Defendant Fern used her position of trust and authority vested in her by the Defendants for the purpose of shaming and manipulating Plaintiff by convincing the 12 year old Plaintiff that his violent sexual assault was justified.

276. During this gap in reporting, instead of seeking an appropriately trained rape crisis counselor or suitable substitute, Defendant Jerrell and Gerrard used their positions of trust and authority vested in them by the Defendants for the purpose of shaming and manipulating Plaintiff by convincing the 12 year old Plaintiff that he was partly responsible for what had happened, that he was also at risk of going to jail, and that Plaintiff had to take some responsibility for what happened when the Plaintiff spoke with law enforcement.

277. Further during this gap in reporting, instead of seeking an appropriately trained rape crisis counselor or suitable substitute, Defendant Corazzini used her position of trust and authority vested in her by the Defendants to misrepresent the nature of the sexual assault to the Nassau County Family Court, by representing that Plaintiff was sexually provocative with ranch staff and residents, and representing that Plaintiff was “involved in an incident” that led to an arrest for sexual assault.

278. The above-stated acts and omissions of Defendants demonstrated a reckless and conscious disregard of the rights, health, and safety of the Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and as such, give rise to punitive damages.

279. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally, and/or in the alternative, for compensatory damages, and punitive damages, together with interest and costs.

**THIRD CAUSE OF ACTION
Negligent Failure to Report
(As to Defendant THCR and Corazzini)**

280. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein

281. At all material times, Defendants collectively and individually, owed a statutory duty under the Social Services Law to report suspected child abuse or maltreatment when acting in a professional or official capacity.

282. At all material times, Defendant Corazzini carelessly and negligently failed to adequately respond to Plaintiff's reports of abuse and withdrawn behavior, despite there being more than enough reasonable cause to suspect child abuse or maltreatment.

283. Despite the actual knowledge Defendant Corazzini had about the Plaintiff being thrown into a pond, upon information and belief, Defendant Corazzini never reported the specific incident.

284. Defendant Corazzini's acts and omissions pertaining to her reporting obligations as a Certified Social Worker fall under her duties as an employee to Defendant THCR.

285. At all material times, Defendant THCR exercised direct or indirect control over Defendant Corazzini's activities.

286. As a direct and proximate result of Defendant Corazzini's negligent failure to report, Plaintiff continued to suffer physical, emotional, and sexual abuse at the ranch.

287. By virtue of Defendant THCR's relationship with Defendant Corazzini, both Defendants are liable to the Plaintiff, jointly, severally, and/or in the alternative, for compensatory damages, and punitive damages, together with interest and costs.

FOURTH CAUSE OF ACTION
Negligent Failure to Provide a Safe and Secure Environment
(Against All Defendants)

288. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein

289. At all material times, as more fully set forth above, Defendants had the statutory duty to exercise the same degree of care and supervision over the students under their control as a reasonably prudent parent would have exercised under similar circumstances.

290. During all material times, all Defendants owed a special duty to Plaintiff as a child resident in their custody. This special duty required all Defendants to take reasonable steps to anticipate threats of injury to children in their custody, particularly when dealing with children younger and smaller than the rest of the persons in their custody.

291. Upon information and belief, by virtue of their duty of care to Plaintiff and the positions of authority and influence they exercised over Plaintiff, Defendants had a duty to Plaintiff to provide him a reasonably safe and secure environment at the ranch.

292. Upon information and belief, Defendants failed to provide a reasonably safe environment for each Plaintiff by failing to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

293. As a result, Defendants are liable to Plaintiffs for their negligent failure to provide a reasonably safe and secure environment.

294. As a direct and proximate result of Defendants' negligent supervision of Plaintiff, Plaintiff has suffered and will continue to suffer the injuries described herein.

295. The above-stated acts and omissions of Defendants demonstrated a reckless and conscious disregard of the rights, health, and safety of the Plaintiff, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiff; and, as such, give rise to punitive damages.

296. By reason of the foregoing, the Defendants are liable to the Plaintiff, jointly, severally, and/or in the alternative, for compensatory damages, and punitive damages, together with interest and costs.

FIFTH CAUSE OF ACTION
Negligent Infliction of Emotional Distress
(Against Defendant THCR)

297. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein.

298. As described above, the actions of Defendant THCR, their successors, agents, servants, and/or employees were conducted in a negligent and/or grossly negligent manner.

299. Defendant THCR's actions endangered Plaintiff's safety and caused him to fear for his own safety.

300. As a direct and proximate result of Defendant THCR's actions and/or inactions, which included but were not limited to negligent and or/grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein; including but not limited to mental and emotional distress.

301. By reason of the foregoing, Defendant THCR jointly, severally and/or in the alternative, is liable to Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

**SIXTH CAUSE OF ACTION
Breach of Duty *in Loco Parentis*
(Against All Defendants)**

302. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein.

303. While he was a minor, Plaintiff was entrusted by his parents, a Nassau County Family Court, and the New York State Division for Youth, to the control and supervision of Defendants THCR. During the times that Plaintiff was entrusted to Defendant THCR, Defendant THCR's employees and agents, including Defendants Jerrell, Fern, Gerrard, Corazzini and Zuzierla were under the supervision and control of Defendant THCR. All these Defendants owe – and owed – a duty to children entrusted to them to act *in loco parentis* and to prevent foreseeable injuries.

304. All Defendants breached their duty to act *in loco parentis*.

305. At all times material hereto all Defendants were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of Plaintiff.

306. As a direct result Defendants conduct, Plaintiff has suffered the injuries and damages described herein.

SEVENTH CAUSE OF ACTION
Intentional Infliction of Emotional Distress
(Against Defendant JAMES ZUZIERLA)

307. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein.

308. Defendant Zuzierla's actions endangered Plaintiff's safety and caused him to fear for his own safety.

309. As a direct and proximate result of Defendant Zuzierla's actions Plaintiff suffered severe injuries and damages described herein; including but not limited to mental and emotional distress.

310. By reason of the foregoing, Defendant, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages and punitive damages, together with interest and costs.

EIGHTH CAUSE OF ACTION
Negligent Failure to Report
(As to Defendant THCR and Gerrard)

311. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 245 as if fully set forth herein

312. At all material times, Defendants THCR and Gerrard collectively and individually owed a statutory duty under Title 6 of the Social Services Law to report suspected child abuse or maltreatment when acting in a professional or official capacity.

313. At all material times, Defendant Gerrard carelessly and negligently failed to adequately respond to the report of sexual abuse, despite there being more than enough reasonable cause to suspect said child abuse or maltreatment had occurred.

314. Despite the actual knowledge Defendant Gerrard had about the Plaintiff being forcibly sexually assaulted multiple times, upon information and belief, Defendant Gerrard failed to report the specific incident immediately as required by Title 6 of the Social Services Law.

315. Defendant Gerrard's acts and omissions pertaining to his reporting obligations as a certified social worker fall under his duties as an employee to Defendant THCR.

316. At all material times, Defendant THCR exercised direct or indirect control over Defendant Gerrard's activities.

317. As a direct and proximate result of Defendant Gerrard's negligent failure to report, Plaintiff continued to suffer physical, emotional, and sexual abuse at the ranch.

318. By virtue of Defendant THCR's relationship with Defendant Gerrard, both Defendants are liable to the Plaintiff, jointly, severally, and/or in the alternative, for compensatory damages, and punitive damages, together with interest and costs.

AD DAMNUM CLAUSE

WHEREFORE Plaintiff, demands judgment against the Defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount to be proved at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction; extent permitted by law;
- B. Awarding punitive damages to the extent permitted by law;

- C. Awarding costs and fees of this action, including attorneys' fees to the extent permitted by law;
- D. Awarding prejudgment interest to the extent permitted by law;
- E. Awarding such other and further relief as to this Court may seem just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff demands a trial by jury on all issues so triable.

Dated: New York, New York
September 20, 2019

Respectfully submitted,

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

s/ REGINA M. CALCATERRA
REGINA M. CALCATERRA
Calcaterra@whafh.com
JAMES A. ALIAGA
Aliaga@whafh.com
270 Madison Avenue
New York, New York 10016
Phone: (212) 545-4600
Attorneys for Plaintiff

ATTORNEY'S VERIFICATION

State of New York)
)
 ss
County of Suffolk)

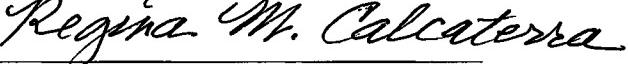
I, REGINA M. CALCATERA, the undersigned, an attorney duly admitted to practice law in the New York State, hereby state and affirm, under penalty of perjury, that I am one of the attorneys for Plaintiffs in the above-entitled action.

I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge except as to those matters stated therein to be alleged on information and belief, and as to those matters I believe them to be true.

The ground of my belief as to all matters not stated upon my own knowledge are based upon my reasonable belief in those matters, numerous communications with my clients, the materials and documents in my file, and the investigations conducted by my office.

The reason I make this affirmation instead of the plaintiff is because said plaintiff resides outside New York County, the County where I maintain my office for the practice of law.

Dated: New York, NY
September 20, 2019



REGINA M. CALCATERA
Attorney